

**From:** Parkin, Richard  
**To:** Eckman, Sheila; McKenna, Elizabeth; Steiner-Riley, Cara  
**Subject:** FW: UTBB Letter for McCarthy  
**Date:** Tuesday, August 06, 2013 7:08:21 AM  
**Attachments:** UTBB Resolution to EPA (Signed).pdf

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**From:** Heather Kendall-Miller [mailto:kendall@narf.org]  
**Sent:** Monday, August 05, 2013 3:32 PM  
**To:** Mccarthy, Gina; perciasepe.bob@epa.gov; Herckis, Arian  
**Cc:** 'mclerran.dennis@epa.gov'; 'parkin.richard@epa.gov'; 'fordham.tammy@epa.gov'; 'steiner-riley.cara@epa.gov'; 'hough.palmer@epa.gov'; 'scott.jessica@epa.gov'; 'dunbar.bill@epa.gov'; 'fristhen.jeff@epa.gov'; 'fertik.rachel@epa.gov'; Chase, JoAnn; 'depass.michelle@epa.gov'; 'evans.david@epa.gov'; 'corman.bicky@epa.gov'; 'soderland.diane@epa.gov'; 'stoner.nancy@epa.gov'; 'koslow.karin@epa.gov'; Fordham, Tami; McLerran, Dennis  
**Subject:** RE: UTBB Letter for McCarthy

Resolution attached

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**From:** Heather Kendall-Miller  
**Sent:** Monday, August 05, 2013 2:27 PM  
**To:** 'McCarthy.Gina@epa.gov'; perciasepe.bob@epa.gov; 'herckis.arian@epa.gov'  
**Cc:** 'mclerran.dennis@epa.gov'; 'parkin.richard@epa.gov'; 'fordham.tammy@epa.gov'; 'steiner-riley.cara@epa.gov'; 'hough.palmer@epa.gov'; 'scott.jessica@epa.gov'; 'dunbar.bill@epa.gov'; 'fristhen.jeff@epa.gov'; 'fertik.rachel@epa.gov'; 'Chase.joann@epa.gov'; 'depass.michelle@epa.gov'; 'evans.david@epa.gov'; 'corman.bicky@epa.gov'; 'soderland.diane@epa.gov'; 'stoner.nancy@epa.gov'; 'koslow.karin@epa.gov'; Fordham, Tami (Fordham.Tami@epa.gov); mclerran.dennis@epa.gov  
**Subject:** FW: UTBB Letter for McCarthy

Administrator McCarthy,

On behalf of the Alaska tribal consortium, United Tribes of Bristol Bay (UTBB), I write to congratulate you on your successful confirmation. In addition, I am sending you a formal letter of invitation to come to Alaska this summer to visit the Bristol Bay region where the Pebble mine is the subject of much controversy. Several years ago UTBB's member Tribes filed a petition requesting EPA to use its Clean Water Act Section 404(c) authority to preemptively prohibit permitting of the proposed Pebble mine. In response to that request, the EPA commenced the Bristol Bay Watershed Assessment. It is our understanding from prior meetings with your staff that the Watershed Assessment will be finalized by the end of 2013. Once it becomes finalized, you will be making a recommendation on whether EPA should utilize its Section 404(c) authority. Given the magnitude of this decision and its resultant consequences to the region, the UTBB leadership would respectfully request that you come to Alaska to see for yourself the beauty and bounty of the Bristol Bay region (including the Kvichak and Nushagak River Drainages) and meet with the people who have lived in this area and relied on its resources since time immemorial.

Most sincerely,

Heather Kendall-Miller  
Native American Rights Fund

Counsel for UTBB

# **United Tribes of Bristol Bay**

P.O. Box 70  
Ekwok, Alaska 99580

**Resolution: 2013 - 1**

**Title: A RESOLUTION REQUESTING THE U.S. ENVIRONMENTAL PROTECTION AGENCY INVOKE ITS AUTHORITY UNDER SECTION 404(C) OF THE CLEAN WATER ACT TO MAKE AN ADVANCED PERMITTING DETERMINATION ON THE PROPOSED PEBBLE MINE IN ALASKA'S BRISTOL BAY REGION.**

WHEREAS The United Tribes of Bristol Bay (UTBB) is a tribal consortium organized by federally recognized Tribal Governments of the Nushagak, Togiak, and Kvichak River Drainages to act as a political subdivision of its member Tribes;

WHEREAS UTBB's mission involves convening government-to-government consultations with various federal and state agencies on matters concerning the proposed Pebble mine as well as implementing the Bristol Bay Regional Vision and addressing large scale mining in the context of that Vision;

WHEREAS UTBB and its member Tribes recognize that the proposed Pebble mine will have unacceptable adverse impacts on the waters, fisheries, wildlife and indigenous peoples in the Bristol Bay region;

WHEREAS the U.S. Environmental Protection Agency (EPA), at the request of federally recognized Tribal Governments of the Nushagak, Togiak, and Kvichak River Drainages, has published, after a peer review and public comment period, the 2013 revised draft Bristol Bay Watershed Assessment;

NOW BE IT THEREFORE RESOLVED that UTBB thanks EPA for engaging in this government-to-government consultation;

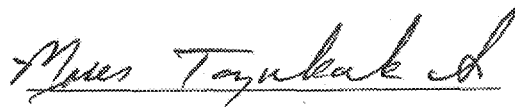
NOW BE IT FURTHER RESOLVED that UTBB hereby requests the EPA to not extend the public comment period on the revised draft Bristol Bay Watershed Assessment beyond the May 31, 2013, deadline;

NOW BE IT FURTHER RESOLVED that UTBB hereby unequivocally states its opposition to the development of the proposed Pebble mine and hereby requests the EPA to invoke its authority under Section 404(c) of the Clean Water Act to prohibit, restrict, or deny any permit requested by the Pebble Limited Partnership, as such a permit would result in unacceptable adverse impacts to the waters, fisheries, wildlife and indigenous peoples in the Bristol Bay region.

NOW BE IT FINALLY RESOLVED that UTBB hereby requests EPA Administer Gina McCarthy travel to Alaska's Bristol Bay region and its tribal communities this coming summer in order to see first hand the subsistence-based culture of the region's indigenous peoples.

ADOPTED by the UTBB Tribal Representatives on this 5<sup>th</sup> day of May, 2013, at the City of Washington, D.C.

Date: 5-5-13



Moses E. Toyukak, Sr.  
Manokotak Village Council

Date: 5/5/13



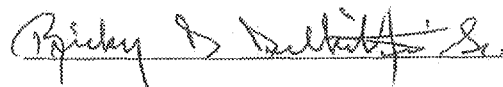
Anna May Ferguson  
Traditional Council of Togiak

Date: 5-5-13



Raymond B. Apokedak  
Levelock Village Council

Date: 5-5-13



Ricky D. Delkitte, Sr.  
Nondalton Tribal Council

Date: 5/5/13

Lorraine King

Lorraine King  
Ekwok Village Council

Date: 5/5/13

Thomas Tilden

Thomas Tilden  
Curyung Tribal Council

Date: 5/05/13

Wassillie Andrews

Wassillie Andrews  
New Stuyahok Traditional Council